



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/826,121 Confirmation No. 2317
Applicant : Andy Ming Lee et al.
Filed : April 4, 2001
TC/A.U. : 2162
Examiner : Jean M. Corrielus

Docket No. : 1602034-0002 (previously 075.0001)
Customer No. : 007470

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE AFTER FINAL OFFICE ACTION UNDER SECTION 116

Sir:

In response to the Final Office Action mailed January 27, 2005, please consider the Notice of Appeal filed herewith, the Request for Extension of Time, the Section 131 Declaration, and the following remarks and amendments:

Amendments to the Claims are reflected in the listing of claims which begin on page 2 of this paper.

Remarks/Arguments begin on page 13 of this paper.

Certificate of Mailing/Transmission

I hereby certify that this paper is being transmitted via facsimile to the United States Patent and Trademark Office or deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Melissa McCool
Name


Signature

July 27, 2005
Date



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/826,121 Confirmation No. 2317
Applicant : Andy Ming Lee et al.
Filed : April 4, 2001
TC/A.U. : 2162
Examiner : Jean M. Corrielus

Docket No. : 1602034-0002 (previously 075.0001)
Customer No. : 007470

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SHOWING OF GOOD CAUSE UNDER SECTION 116

Applicants submit that the Section 131 Declaration filed herewith is Seasonably presented. In the Office Action dated January 27, 2005, the Examiner stated that "Applicant's arguments with respect to claims 1-4, 7-9, 11-18, 21-23, 25-32, 35-37, and 39-42 have been considered but are moot in view of the new ground(s) of rejection." See paragraph 2 on page 1 of the Office Action. Therefore, the Section 131 Declaration is being filed "after final rejection and submitted with a first reply after final rejection for the purpose of overcoming a new ground of rejection or requirement made in the final rejection." MPEP 715.09.

In addition, Applicants recently retained new counsel for this matter and the grounds for overcoming the rejections were only recently discovered.

Respectfully submitted,

Dated: July 27, 2005

By:

Thomas V. DelRosario Reg. No. 46,658
WHITE & CASE LLP
1155 Avenue of the Americas
New York, NY 10036
(650) 213-0300